

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

MAXWELL JOSEPH HARGREAVES,

Plaintiff,

v.

Case No. 16-CV-486

BROWN COUNTY, BROWN COUNTY JAIL,
BROWN COUNTY JAIL HEALTH SERVICES,
ADEYEMI FATOKI, PAM PAGE,
JOHN GOSSAGE, JOHN DOE 1,
JANE DOE, JOHN DOE 2, and
NANCY THELEN,

Defendants.

ORDER GRANTING PLAINTIFF'S REQUEST FOR EXTENSION OF TIME TO
CONDUCT DISCOVERY (DOC. 40), AMENDING SCHEDULING ORDER, AND
DIRECTING DEFENDANTS TO RESPOND TO PLAINTIFF'S REQUEST TO COMPEL
PRODUCTION OF HIS MEDICAL FILE

The plaintiff, Maxwell Joseph Hargreaves, has filed a request for an extension of time to complete discovery. He asserts that he needs additional time because he has been unable to obtain his medical file from the defendants. The current deadline for the completion of discovery is January 27, 2017.

The plaintiff also requests that the court compel defendants to send him his medical file asserting that he cannot afford to pay for copies costing \$36.62 and that he has attempted to communicate with defendants about this issue. The court notes that under the discovery rules, the presumption is that the requesting party must bear the expense of complying with discovery requests, although the district court has discretion under Federal Rule of Civil Procedure 26(c) to enter orders protecting a party from "undue burden or expense", including orders conditioning discovery on the requesting party's payment of the

costs of discovery. See *Oppenheimer Fund, Inc. v. Sanders*, 437 U.S. 340, 358 (1978); see also Fed. R. Civ. P. 26(c). Therefore,

IT IS ORDERED that plaintiff's request for extension of time to conduct discovery (Docket 40) is granted.

IT IS FURTHER ORDERED that the Scheduling Order is amended as follows: the deadline for the completion of discovery is **February 27, 2017**, and the deadline for filing dispositive motions is **March 27, 2017**.

IT IS FURTHER ORDERED that defendants respond on or before **January 11, 2017**, to plaintiff's request for the court to compel defendants to send plaintiff his medical file.

Dated at Milwaukee, Wisconsin, this 29th day of December, 2016.

BY THE COURT

/s/ C. N. Clevert, Jr.
C. N. CLEVERT, JR.
U.S. District Judge